

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
NO. 1:13-CV-00949**

DAVID HARRIS; CHRISTINE BOWSER; and SAMUEL LOVE,

Plaintiffs,

v.

PATRICK MCCRORY, in his capacity as Governor of North Carolina; NORTH CAROLINA STATE BOARD OF ELECTIONS; and JOSHUA HOWARD, in his capacity as Chairman of the North Carolina State Board of Elections,

Defendants.

**PLAINTIFFS' IDENTIFICATION
OF TRIAL EXHIBITS**

NOW COME Plaintiffs, by and through their undersigned counsel, pursuant to Fed. R. Civ. Pro. 26(a)(3)(A)(iii), and hereby identify the following exhibits that Plaintiffs expect to offer at trial in the above-captioned action:

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-1	18	12/19/12	Affidavit	Affidavit of Erika Churchill
P-2	41	10/3/12	Affidavit	Third Affidavit of Christopher Ketchie
P-3	20	1/4/13	Affidavit	Fourth Affidavit of Christopher Ketchie
P-4	6	2/21/13	Affidavit	Fifth Affidavit of Christopher Ketchie
P-5	1	2/1/12	Correspondence	Letter from USDOJ to Chris Heagarty
P-6	1	11/1/11	Correspondence	Letter from the United States Department of Justice Preclearing the 2011 Congressional Redistricting Plan

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-7	2	7/22/11	Correspondence	Letter from G.K. Butterfield to Sen. Rucho and Rep. Lewis
P-8	3	7/8/11	Correspondence	Letter from Mel Watt to Sen. Rucho and Rep. Lewis
P-9	5	10/18/11	Correspondence	Letter from Linda Garrou to USDOJ
P-10	10	7/8/11	Correspondence	Letter from Mel Watt to Sen. Rucho and Rep. Lewis
P-11	2	6/19/11	E-mail	E-mail from Tom Hofeller to Joel Raupe and e-mail string
P-12	6	6/20/11	E-mail	E-mail from Joel Raupe to Tom Hofeller and e-mail string
P-13	6	6/30/11	E-mail	E-mail from Brent Woodcox to Tom Farr and e-mail string
P-14	7	6/30/11	E-mail	E-mail from Jason Kay to Brent Woodcox and e-mail string
P-15	19	4/12/12	Expert Report/Affidavit	Second Affidavit of David W. Peterson
P-16	15	5/8/12	Expert Report/Affidavit	Fourth Affidavit of David W. Peterson
P-17	149	12/23/13	Expert Report/Affidavit	Ansolabehere Expert Report
P-18	39	1/29/14	Expert Report/Affidavit	Ansolabehere Expert Report in Response to Thomas B. Hofeller
P-19	1		Map	Beaufort County Map (Rucho-Lewis Cong. 3)
P-20	1		Map	Bertie County Map (Rucho-Lewis Cong. 3)
P-21	1		Map	Cabarrus County Map (Rucho-Lewis Cong. 3)
P-22	1		Map	Chowan County Map (Rucho-Lewis Cong. 3)
P-23	1		Map	Craven County Map (Rucho-Lewis Cong. 3)
P-24	1		Map	Davidson County Map (Rucho-Lewis Cong. 3)

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-25	1		Map	Gates County Map (Rucho-Lewis Cong. 3)
P-26	1		Map	Franklin County Map (Rucho-Lewis Cong. 3)
P-27	1		Map	Granville County Map (Rucho-Lewis Cong. 3)
P-28	1		Map	Edgecombe County Map (Rucho-Lewis Cong. 3)
P-29	1		Map	Forsyth County Map (Rucho-Lewis Cong. 3)
P-30	1		Map	Durham County Map (Rucho-Lewis Cong. 3)
P-31	1		Map	Greene County Map (Rucho-Lewis Cong. 3)
P-32	1		Map	Guilford County Map (Rucho-Lewis Cong. 3)
P-33	1		Map	Halifax County Map (Rucho-Lewis Cong. 3)
P-34	1		Map	Hertford County Map (Rucho-Lewis Cong. 3)
P-35	1		Map	Lenoir County Map (Rucho-Lewis Cong. 3)
P-36	1		Map	Martin County Map (Rucho-Lewis Cong. 3)
P-37	1		Map	Mecklenburg County Map (Rucho-Lewis Cong. 3)
P-38	1		Map	Nash County Map (Rucho-Lewis Cong. 3)
P-39	1		Map	Northampton County Map (Rucho-Lewis Cong. 3)
P-40	1		Map	Pasquotank County Map (Rucho-Lewis Cong. 3)
P-41	1		Map	Perquimans County Map (Rucho-Lewis Cong. 3)
P-42	1		Map	Pitt County Map (Rucho-Lewis Cong. 3)

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-43	1		Map	Rowan County Map (Rucho-Lewis Cong. 3)
P-44	1		Map	Vance County Map (Rucho-Lewis Cong. 3)
P-45	1		Map	Warren County Map (Rucho-Lewis Cong. 3)
P-46	1		Map	Washington County Map (Rucho-Lewis Cong. 3)
P-47	1		Map	Wayne County Map (Rucho-Lewis Cong. 3)
P-48	1		Map	Wilson County Map (Rucho-Lewis Cong. 3)
P-49	1		Map	Statewide Map (Rucho-Lewis Congress 3)
P-50	1		Map	CD 1 Map (Rucho-Lewis Cong. 3 Detailed)
P-51	1		Map	CD 12 Map (Rucho-Lewis Cong. 3 Detailed)
P-52	1		Map	CD 1 Map (Rucho-Lewis Cong. 3 Simple)
P-53	1		Map	CD 12 Map (Rucho-Lewis Cong. 3 Simple)
P-54	1		Map	NC Senate Examplar Plan (Northeastern NC)
P-55	4		Map	Map of North Carolina Congressional Districts in Effect Between 1998 and 2001
P-56	9		Map	District 12 Segments (Ketchie Production "Draft1.pdf")
P-57	11		Map	District 12 Segments (Ketchie Production "Draft2.pdf")
P-58	16		Map	District 12 Segments (Ketchie Production "Draft3v2.pdf")
P-59	13		Map	Map Labeled "NC Cong Delegation 9-4 May 11"
P-60	13		Map	Map Labeled "NC Cong Delegation 10-3 May 11"

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-61	16		Map	Map Labeled "Map 1, NC 12th Congressional District" (Ketchie Production)
P-62	23		Map	Map Labeled "Proposed 10-3 Map"
P-63	30		Map	Multiple Versions of "Rucho-Lewis Congress" Maps
P-64	34		Map	Maps of North Carolina's Congressional Districts from 1941 to 1992
P-65	96		Map	Multiple Maps Marked as Exhibit 2 at 9/9/15 Depo of Thomas Hofeller
P-66	294		Map	Multiple Maps Marked as Exhibit 3 at 9/9/15 Depo of Thomas Hofeller
P-67	4	7/1/11	Other	Statement by Senator Bob Rucho and Representative David Lewis re: the Proposed 2011 Congressional Plan
P-68	4	7/19/11	Other	Statement by Senator Bob Rucho and Representative David Lewis re: the Release of Rucho-Lewis Congress 2
P-69	46		Other	Congressional Races 1992-2001 (Churchill Dep. Ex. 81)
P-70	100		Other	"Redrawing the Map on Redistricting 2012" (report by Azavea, a geospatial analysis firm)
P-71	12	2/25/13	Other	Second Joint Stipulation (<i>Dickson v. Rucho</i>)
P-72	38	1/28/92	Section 5 Submission	1992 Section 5 Submission (Letter and Compendium re: Congressional Plan)
P-73	48	4/9/97	Section 5 Submission	1997 Section 5 Submission (Letter and Compendium re: Congressional Plan)
P-74	22		Section 5 Submission	2011 Section 5 Submission (Compendium re: Congressional Plan)
P-75	39		Section 5 Submission	2011 Section 5 Submission (NC11-C-27A-1)
P-76	7		Section 5 Submission	2011 Section 5 Submission (NC11-C-27B-1)

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-77	10		Section 5 Submission	2011 Section 5 Submission (NC11-C-27B-2)
P-78	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27C-1)
P-79	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27C-2)
P-80	3		Section 5 Submission	2011 Section 5 Submission (NC11-C-27C-3)
P-81	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27C-4)
P-82	5		Section 5 Submission	2011 Section 5 Submission (NC11-C-27H-1)
P-83	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27J-1)
P-84	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27J-2)
P-85	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27N-1)
P-86	26		Section 5 Submission	2011 Section 5 Submission (NC11-C-27N-2)
P-87	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-27N-3)
P-88	3		Section 5 Submission	2011 Section 5 Submission (NC11-C-27P-1)
P-89	10		Section 5 Submission	2011 Section 5 Submission (NC11-C-27R-1)
P-90	11		Section 5 Submission	2011 Section 5 Submission (NC11-C-27R-2)
P-91	11		Section 5 Submission	2011 Section 5 Submission (NC11-C-27R-3)
P-92	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-28B-1)
P-93	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-28B-2)
P-94	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-28G-1)

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-95	1		Section 5 Submission	2011 Section 5 Submission (NC11-C-28G-2)
P-96	4		Section 5 Submission	2011 Section 5 Submission (NC11-C-28H-1)
P-97	1	7/2/11	Section 5 Submission	2011 Section 5 Submission (7/2/11 Carolina Times Article)
P-98	2	7/23/11	Section 5 Submission	2011 Section 5 Submission (7/23/11 Carolina Times Article)
P-99	2	7/10/11	Section 5 Submission	2011 Section 5 Submission (7/10/11 Carolinian Article)
P-100	2	4/29/10	Section 5 Submission	2011 Section 5 Submission (4/29/10 N&O Blog Post)
P-101	3	12/18/10	Section 5 Submission	2011 Section 5 Submission (12/18/10 Star News Article)
P-102	1		Section 5 Submission	2011 Section 5 Submission (Curative Draft)
P-103	3	11/10/11	Section 5 Submission	2011 Section 5 Submission (Electronic Submission re: Curative Congressional Filing No. 3683)
P-104	2		Stats/Data	CD 1 District Statistics ("rptDistrictStats-1")
P-105	2		Stats/Data	CD 12 District Statistics ("rptDistrictStats-12")
P-106	6		Stats/Data	CD 1 VAP by Race and Ethnicity ("rptVTDVap-1")
P-107	4		Stats/Data	CD 12 VAP by Race and Ethnicity ("rptVTDVap-12")
P-108	1		Stats/Data	Table 4: Electoral Analysis of Previous Congressional Districts With 40%+ TBVAP (Plaintiffs' Trial Exhibit 23 in <i>Dickson v. Rucho</i>)
P-109			Stats/Data	"Population Statistics on 1997 Version of First Congressional District Under 2000 Census"
P-110	1		Stats/Data	VAP Data for the NC Congressional Plan in Effect Between 1998 and 2001

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-111	1		Stats/Data	VAP Data for the NC Congressional Plan in effect between 2001 and 2011
P-112	13		Stats/Data	"Congressional Races with Minority Candidates 1992-2010"
P-113	23		Stats/Data	"Municipality by District Report Source 2010 Census Plan CST1A Rucho Lewis Congress 3"
P-114	1		Stats/Data	Table Labeled "Carolina Proportionality Chart"
P-115	39		Stats/Data	Table Labeled "NC_10_3_CD"
P-116	41		Stats/Data	Table Labeled "NC_Cong_Delegation_9_4_May_11"
P-117	41		Stats/Data	Table Labeled "NC_Congress_10_3_Delegation"
P-118	45		Stats/Data	Table Labeled "NC_Congress_Whole_Precinct_1st"
P-119	101	5/22/12	Transcript (Deposition)	Deposition Transcript of NC NAACP (Rev. Barber)
P-120	56	5/12/14	Transcript (Deposition)	Deposition Transcript of NC NAACP (Rev. Barber)
P-121	202	5/4/12	Transcript (Deposition)	Deposition Transcript of Sen. Robert Rucho
P-122	131	6/20/12	Transcript (Deposition)	Deposition Transcript of John Morgan
P-123	130	6/27/12	Transcript (Deposition)	Deposition Transcript of Dale Oldham
P-124	173	3/20/12	Transcript (Deposition)	Deposition Transcript of Erika Churchill
P-125	228	5/3/12	Transcript (Deposition)	Deposition Transcript of Rep. David Lewis
P-126	177	6/7/12	Transcript (Deposition)	Deposition Transcript of Thomas Brunell
P-127	180	6/28/12	Transcript (Deposition)	Deposition Transcript of Thomas Hofeller

Pltffs' Ex. #	# of Pgs.	Date	Category	Description
P-128	189	8/10/12	Transcript (Deposition)	Deposition Transcript of Thomas Hofeller
P-129	92	5/6/14	Transcript (Deposition)	Deposition Transcript of Thomas Hofeller
P-130	59	9/9/15	Transcript (Deposition)	Deposition Transcript of Thomas Hofeller
P-131	191	6/18/12	Transcript (Deposition)	Deposition Transcript of Joel Raupe
P-132	97	4/15/14	Transcript (Deposition)	Deposition Transcript of David Harris
P-133	91	4/9/14	Transcript (Deposition)	Deposition Transcript of Christine Bowser
P-134	12	5/9/11	Transcript (Legislative)	NCGA Public Hearing on Redistricting Transcript
P-135	4	7/21/11	Transcript (Legislative)	House Redistricting Committee Transcript
P-136	4	7/21/11	Transcript (Legislative)	Senate and House Joint Redistricting Committees Transcript
P-137	5	7/22/11	Transcript (Legislative)	Senate Redistricting Committee Transcript
P-138	42	7/25/11	Transcript (Legislative)	House Floor Debate Transcript
P-139	210	7/25/11	Transcript (Legislative)	Senate Floor Debate Transcript
P-140	3	7/27/11	Transcript (Legislative)	House Redistricting Committee Transcript
P-141	22	7/27/11	Transcript (Legislative)	Senate Floor Debate Transcript
P-142	45	7/27/11	Transcript (Legislative)	House Floor Debate Transcript
P-143	261	6/4/13	Transcript (Trial)	<i>Dickson</i> Trial Transcript (Day 1 of 2)
P-144	238	6/5/13	Transcript (Trial)	<i>Dickson</i> Trial Transcript (Day 2 of 2)

Plaintiffs reserve the right to offer as evidence any exhibit identified by Defendants.

Respectfully submitted, this the 14th day of September, 2015.

PERKINS COIE LLP

John M. Devaney
D.C. Bar No. 375465
JDevaney@perkinscoie.com
Marc E. Elias
D.C. Bar No. 442007
MElias@perkinscoie.com
Bruce V. Spiva
D.C. Bar No. 443754
BSpiva@perkinscoie.com
700 Thirteenth Street, N.W., Suite 600
Washington, D.C. 20005-3960
Telephone: (202) 654-6200
Facsimile: (202) 654-6211

/s/ Kevin J. Hamilton
Kevin J. Hamilton
Washington Bar No. 15648
Khamilton@perkinscoie.com
William B. Stafford
Washington Bar No. 39849
Wstafford@perkinscoie.com
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: (206) 359-8741
Facsimile: (206) 359-9741

Attorneys for Plaintiffs

POYNER SPRUILL LLP

/s/ Edwin M. Speas, Jr.
Edwin M. Speas, Jr.
N.C. State Bar No. 4112
espeas@poynerspruill.com
John W. O'Hale
N.C. State Bar No. 35895
johale@poynerspruill.com
Caroline P. Mackie
N.C. State Bar No. 41512
cmackie@poynerspruill.com
P.O. Box 1801 (27602-1801)
301 Fayetteville St., Suite 1900
Raleigh, NC 27601
Telephone: (919) 783-6400
Facsimile: (919) 783-1075

Local Rule 83.1
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this date I served a copy of the foregoing **PLAINTIFFS' IDENTIFICATION OF TRIAL EXHIBITS** to be made by electronic filing with the Clerk of the Court using the CM/ECF System, which will send a Notice of Electronic Filing to all parties with an e-mail address of record, who have appeared and consent to electronic service in this action.

This the 14th day of September, 2015.

/s/ Edwin M. Speas, Jr.
Edwin M. Speas, Jr.